HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.26328 of 2006

Dated:29.01.2007

Between:

Lega Rama Mohana Reddy and others.

...Petitioners.

and

The District Registrar for Assurances, Warangal. and another.

...Respondents

HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.26328 of 2006

ORDER:

The petitioners state that they have purchased agricultural lands in Sy.Nos.74, 76, 77, 78 and 79 of Yeswanthapura Village, Jangaon Revenue Mandal, Warangal District, from the respective owners and presented six sale deeds, dated 08.11.2006, before the 2nd respondent, for registration. According to them, the value of the lands, as entered in the basic value register, is Rs.50,000/-, per acre, whereas the stamp duty and registration charges were paid by treating the value @ Rs.55,000/-, per acre. Their grievance is that the 2nd respondent did not register and release the sale deeds, though several months have elapsed. Hence, they seek appropriate directions in this regard.

The writ petition was listed 'for Admission' on 20.12.2006 and it was adjourned on four occasions, to enable the learned Government Pleader to obtain instructions. Even today, no specific reasons are assigned on behalf of the respondents for not releasing the

documents presented by the petitioners.

Heard learned Counsel for the petitioners and learned Government Pleader for Revenue.

The 2nd respondent is under obligation to register the documents and release them to the concerned parties, once the requirements under the Indian Stamp Act and the Registration Act, are complied with. In case, he notices any ground, which enables him to refuse registration, he has to communicate the same in writing to the concerned parties, so that necessary steps can be taken. Under no circumstances, the

2nd respondent can sit over indefinitely. Such a callous approach would defeat the rights of the parties and bring about several difficulties for them. Failure to exercise the powers conferred upon him properly, may even expose the 2nd respondent for legal action for the damage that may have suffered by the concerned parties. An authority, which is conferred with the power to provide safe evidence for transfer and to collect necessary revenues for the State, cannot be permitted to scuttle these transactions between the parties.

For the foregoing reasons, the writ petition is disposed of, directing the 2nd respondent to release the documents presented by the petitioners forthwith, in case, necessary stamp duty and registration fee are paid. There shall be no order as to costs.

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Dt.29.01.2007
L.NARASIMHA REDDY, J

GJ